

REMARKS

This amendment is filed concurrently with the filing of a Request for Continued Examination (RCE) of the above referenced application.

Claims 1-24 are pending in this application. Claims 2-5, 7-8, 10 and 12 are amended, claims 1, 6, 13 and 15-24 are cancelled and new claims 25-43 are added herein.

Claims 8, 25 and 35 are independent.

Support for the features recited in the new claims can be found on in the specification, including but not limited to the description relating to Figures 1A-3. Accordingly, it is respectfully submitted that no new matter is added by this amendment.

The new claims are added to recite the invention in a somewhat different way.

In the final Official Action, claims 1-3, 5, 7-10, 12, 14-17, 19 and 21-24 stand rejected under 35 USC §102(e), as anticipated by Chung, et al. (U.S. Patent No. 6,877,096). Claims 4, 11 and 18 stand rejected under 35 USC §103(a), as obvious over Chung, et al. (U.S. Patent No. 6,877,096) in view of Nakamura (U.S. Patent No. 6,468,162, not 2,334,456).

In view of the cancellation of pending claims 1, 6, 13 and 15-24, the rejections under 35 USC §102(e) based on Chung, et al. (U.S. Patent No. 6,877,096) and under 35 USC §103(a) based on Chung, et al. in view of newly applied Nakamura (U.S. Patent No. 6,468,162), as set forth in the final Official Action dated August 17, 2006, are moot with respect to these claims.

Claim 8 (as amended) requires, in part:

a token having an integrated circuit chip with a storage section for storing at least game initial data, and being attachable to and detachable from the base portion;

wherein the game initial data stored in the storage section is read by the gaming machine when the figure with the token is set on the gaming machine.

Claim 25 requires, in part:

a storage section storing at least game initial data, and being attachable to and detachable from a figure identifying one of the plurality of selectable characters;

wherein the game initial data stored in the storage section is read by the gaming machine when the figure with the token is set on the gaming machine.

Claim 35 requires:

an integrated circuit chip having a storage section storing at least game initial data regarding the character and being attachable to and detachable from a figure identifying one of a plurality of selectable characters;

wherein the game initial data is selectable from the identified character's initial data and is read by the gaming machine when the figure with the token is set on the gaming machine.

It is respectfully submitted that, as shown in Figure 1, Chung discloses a token that is attachable and detachable from a reading device and a plurality of tokens forms a part of the reading device (figure). On the other hand, each of claims 8, 25 and 35 recites a token or IC chip that is attachable and detachable from a figure. Thus, the kind of token 120 cannot be recognized from the appearance of the reading device shown in Chung's Figure 1. However, in accordance with claims 8, 25 and 35, the kind of token

can be recognized from the appearance of the figure, since the figure to which the token is attached depicts one of the game characters.

Also, according to each of claims 8, 25 and 35, the gaming machine first reads the initial data when the figure with the token is set on the gaming machine. As shown in Figure 1, Chung does not disclose such a feature.

Also, according to claim 35, the game initial data is selectable from the identified character's initial data. Nakamura discloses that a game machine selects character information that is used by the player from some other character information.

Nakamura's character information is different for each character. However, according to claims 35, a plurality of kinds of game initial data (with the parameters for the game being different in each data) are stored in different tokens for the same character.

Various other preferred features recited in the dependent claims are believed to further distinguish over the prior art of record in this case. For example:

Claim 27 (like claim 35) requires, in part, that the game initial data is data for the identified character selected from a plurality of game initial data.

Claims 28 and 38 each require that the token is shaped so as to be attachable to the figure by insertion into a recess in a surface of the figure.

Claims 29 and 38 that, if the gaming machine is configured to dispense, to the player based on progress of the play of the game, a game coin that has a size and a thickness corresponding to a coin slot for inserting the game coin into the gaming machine, to commence or continue play of the game, the token preferably has a size and thickness substantially similar to the size and the thickness of the game coin.

Claims 30 and 39 require that the game initial data include an identification code identifying the token.

Claims 31 and 40 require that the game initial data include a bonus data set for providing a predetermined profit in the game. In this regard it is noted that, contrary to the Examiner's previously asserted position, these claims require not just bonus data, but rather "a bonus data set for providing a predetermined profit in the game". It is respectfully submitted that the applied Chung reference (as well as the other previously applied prior art) lack any disclosure relating to bonus data stored in a portable device "for providing a predetermined profit in the game". Accordingly, it is respectfully requested that should these claims be rejected that the Examiner identify with specificity where within the applied prior art the required limitations are taught or suggested.

Claims 32 and 41 require that, if the gaming machine is configured to commence play of the game only after receipt of a payable value from the player, the stored game initial data preferably also includes a bonus data set having the payable value.

It is respectfully submitted that each of the preferred features and limitations discussed above also patentably distinguish over the prior art of record.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

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File No: 1227.43062X00
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Applicant No: P02-0373US

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To the extent necessary, Applicants petition for an extension of time under 37 CFR § 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Case No. 1227.43062X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,
ANTONELLI, TERRY, STOUT & KRAUS, LLP

/Alfred A., Stadnicki/

Alfred A. Stadnicki
Registration No. 30,226

1300 North Seventeenth Street
Suite 1800
Arlington, VA 22209
Tel.: 703-312-6600
Fax.: 703-312-6666

AAS/kbl